IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.2452 OF 2006

Dr. Ajitrai B. Vasavada ..Petitioner.

Vs.

Bhagwan Shri 1008 Shri Haidyakhandi
Go Seva Ashram & Ors. ..Respondents.

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Mr. A.D. Shetty with Ms. Rita Joshi for the Petitioner.
Mr. Rajesh Gehani for the Respondents.

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CORAM: DR. D.Y. CHANDRACHUD, J.
25th September, 2006.

P.C. :

The Labour Court has dismissed the application under Section 33C(2) of the Industrial Disputes Act, 1947 holding that the Petitioner has not been able to establish a pre existing right. The Petitioner was a doctor in the service of a charitable trust between 1981 and 1995. The Petitioner admitted in the course of his cross examination that his claim was not based on any written contract between the parties. Apart from that, the Petitioner was unable to establish a pre existing right in law to HRA, LTA non-practicing allowance, bonus and such other heads. The Petitioner would have to seek his remedies in an adjudication. There is no merit in the Petition. The Petition is dismissed.